

06.12.2022.
12.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 1442 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.12 of 2022 arising out of NCB Crime No.08/NCB/KO/2022 under Sections 22(c)/25(A)/28/29 of the NDPS Act, 1985 as amended, for violation of the prohibition imposed under Section 8 (C) & 9 (A) of the NDPS Act, 1985.

In the matter of : Kaushal Bhotika.

.... Petitioner.

Md. Zeeshan Uddin,
Ms. Amrin Khatun,
Mr. Faisal Ahmed.

...for the Petitioner.

Mr. Arun Kr. Maiti (Mohanty),
Ms. Sumita Sarkar.

...for the NCB.

Heard the learned Advocates for the parties.

Petitioner is in custody for ten months. Recovery from his possession is of intermediate quantity.

Learned Advocate appearing for the State opposes the prayer for bail.

In view of the above-stated circumstances, we are of the opinion further detention of the petitioner is not necessary and he may be enlarged on bail.

Accordingly, the petitioner viz., Kaushal Bhotika shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court, Bench-I, City Sessions Court, Calcutta subject to condition that he shall appear before the trial court on every date of hearing until

further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)